

NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Attorney's Docket No.:
P41 9498



In Re Application of:
Wahl and O'Gorman

Serial Number:
08/147,912

Filed:
11/03/93

For: FLP-MEDIATED GENE MODIFICATION IN
MAMMALIAN CELLS, AND COMPOSITIONS AND
CELLS USEFUL THEREFOR

Group Art Unit:
1814

Examiner:
C. Low

RECEIVED
JAN 26 1995
GROUP 1800

Applicant hereby appeals to the Board of Appeals from the decision dated July 14, 1994, of the Examiner rejecting claims 25, 26, 28, 42-46 and 48.

1. X Appeal fee (37 C.F.R. 1.17(e))

 other than small entity \$280.00
X small entity \$140.00

 verified statement attached

X verified statement previously filed in parent application serial no. 07/666,252 on March 8, 1991.

2. X A petition and fee for an extension of time for reply to the rejection is attached.

Extension fee (37 C.F.R. 1.17(a) - (c))

 other than small entity

 \$110.00 \$370.00 \$870.00 \$1,360.00

X small entity

 verified statement attached

X verified statement previously filed in parent application serial no. 07/666,252 on March 8, 1991.

 \$ 55.00 \$185.00 X \$435.00 \$680.00

3. X A check is attached for the sum of \$575.00, \$140.00 of which covers the Notice of Appeal fee and \$435.00 of which covers the fee for the three-month extension of time. The Commissioner is authorized to charge any additional fees required to file a Notice of Appeal to Deposit Account No. 16-2460. A duplicate copy is enclosed.

4. Please charge the fee(s) to Deposit Account No. 16-2460. A duplicate copy is enclosed.

4/17/95
Date

PRETTY, SCHROEDER,
BRUEGGEMANN & CLARK
444 South Flower Street, Suite 2000
Los Angeles, California 90071

140 KK 01/24/95 08147912

Stephen E. Reiter
Stephen E. Reiter
Registration No.: 31,192
Attorney for Applicant

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trade marks, Washington, D. C. 20231, on 1/17/95

BY Stephen E. Reiter
Stephen E. Reiter Reg. No. 31,192
140.00 CK/17/95
Date of Signature

| | | | | |
|--|----------------------|-----------------|-------------------------|--|
| APPEAL BRIEF AND AMENDMENT AFTER FINAL TRANSMITTAL LETTER | | | Docket Number: P41 9498 | |
| Serial No. 912 | Filing Date 11/03/93 | Examiner C. Low | Group Art Unit 1814 | |
| Invention 20 1995 FLP-MEDIATED GENE MODIFICATION IN MAMMALIAN CELLS, AND COMPOSITIONS AND CELLS USEFUL THEREFOR | | | | |

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Transmitted herewith are:

JUL 27 1995

- 1.) Amendment After Final;
- 2.) Appellants' Brief under 37 CFR § 1.192;

X Small Entity status of this application has been established under 37 CFR 1.27 by a verified statement previously submitted.

X No additional fee is required.

— The fee has been calculated as shown below:

CLAIMS AS AMENDED

| | NUMBER AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | NUMBER OF EXTRA CLAIMS PRESENTED | RATE FEE | | | |
|---|------------------------|------------------------------------|----------------------------------|----------------------|--------------|--------------|--------------|
| | | | | SMALL ENTITY | OTHER ENTITY | SMALL ENTITY | OTHER ENTITY |
| Total Claims | - | * | *** | X \$ 11 | \$ 22 | = \$ | \$ |
| Independent Claims | - | ** | *** | X \$ 38 | \$ 76 | = \$ | \$ |
| First Presentation of Multiple Dependent Claim _____ Yes _____ No | | | | \$120 | \$240 | | |
| | | | | TOTAL ADDITIONAL FEE | | | |

* If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

** If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

*** If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 0, write "0" in the space.

— Please charge my Deposit Account No. 16-2460 the amount of \$ _____. A duplicate copy of this sheet is enclosed.

X A check in the amount of \$385.00 is enclosed to cover the fee for filing the Brief (\$140.00) and \$245.00 to cover the fee for a fourth-month extension of time (\$680.00, less \$435.00 previously submitted to the PTO on June 7, 1995; copy attached).

X The Assistant Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2460. A duplicate copy of this sheet is enclosed.

X Any additional filing fees required under 37 C.F.R. 1.16.

X Any patent application processing fees under 37 C.F.R. 1.17.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on 7/17/95

By Stephen E. Reiter
Stephen E. Reiter, Reg. No. 31,192

7/17/95
Date of Signature

Respectfully submitted,

Stephen E. Reiter
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